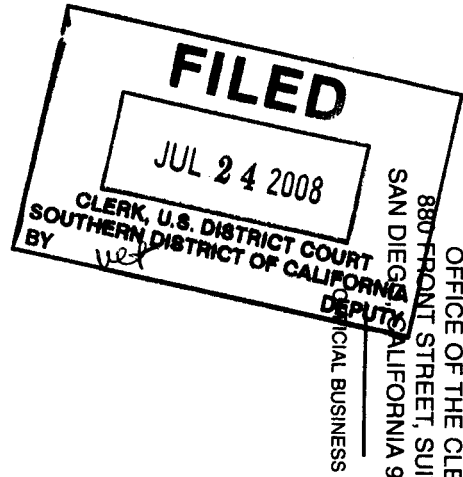


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**L.R. 83.3.e requires prompt
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**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA**

OFFICE OF THE CLERK

880 FRONT STREET, SUITE 4290

SAN DIEGO, CALIFORNIA 92101-8900

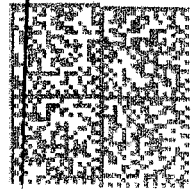
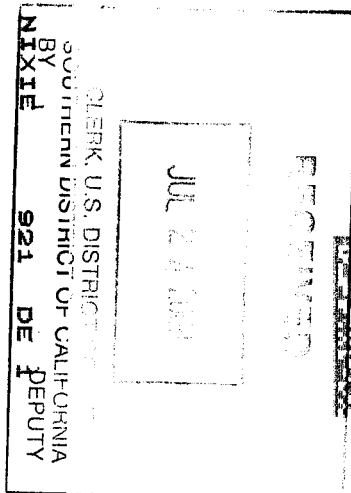
DEPUTY CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

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CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
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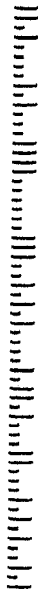


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8 **UNITED STATES DISTRICT COURT**
9 **SOUTHERN DISTRICT OF CALIFORNIA**


10
11 CARL BENSON AND DAVID JACKSON,
12 Plaintiff,
13 vs.
14 JEREMIAH BARRY,
Defendant.

CASE NO. 08CV1186 BTM (AJB)
ORDER TO SHOW CAUSE

15 The Court has reviewed Plaintiffs' complaint and finds that it is unclear whether
16 subject matter jurisdiction exists in this case. Plaintiffs' complaint establishes neither the facts
17 necessary for diversity jurisdiction nor alleges the violation of any federal law. Although
18 Plaintiffs allege "ethnic discrimination" on the cover sheet of his complaint, the actual
19 complaint contains no facts supporting such an allegation. Instead, the complaint appears
20 to detail a dispute between either a landlord or neighbor about loud music and late night
21 parties. Plaintiffs shall file a response explaining why this case should not be dismissed for
22 lack of subject matter jurisdiction on or before July 21, 2008. Otherwise, the case shall be
23 dismissed.

24 IT IS SO ORDERED.

25 DATED: July 9, 2008

26 
27 Honorable Barry Ted Moskowitz
28 United States District Judge